

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 321

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM AND THE ADULT MENTAL HEALTH PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; LIMITING THE TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT WITH REGARD TO CHILDREN'S MENTAL HEALTH CONTRACT TREATMENT SERVICES; DIRECTING A REPORT RELATING TO CHILDREN'S MENTAL HEALTH DAY TREATMENT SERVICES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING THE USE OF CERTAIN MONEYS IN THE MENTAL HEALTH GRANT PROGRAM; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and Welfare for Mental Health Services the following amounts to be expended for the designated programs according to the designated expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. CHILDREN'S MENTAL HEALTH:				
FROM:				
Cooperative Welfare (General) Fund	\$2,593,000	\$710,500	\$4,783,000	\$8,086,500
Cooperative Welfare (Dedicated) Fund			164,500	164,500
Cooperative Welfare (Federal) Fund	<u>3,119,600</u>	<u>1,410,800</u>	<u>1,117,600</u>	<u>5,648,000</u>

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
TOTAL	\$5,712,600	\$2,121,300	\$6,065,100	\$13,899,000
II. ADULT MENTAL HEALTH:				
FROM:				
Cooperative Welfare (General) Fund	\$11,976,400	\$1,768,300	\$674,700	\$14,419,400
Cooperative Welfare (Dedicated) Fund	698,800		650,000	1,348,800
Drug Court, Mental Health and Family Court Services Fund	158,400	98,000		256,400
Cooperative Welfare (Federal) Fund	<u>2,723,600</u>	<u>1,173,200</u>	<u>353,700</u>	<u>4,250,500</u>
TOTAL	\$15,557,200	\$3,039,500	\$1,678,400	\$20,275,100
III. MENTAL HEALTH GRANTS:				
FROM:				
Cooperative Welfare (General) Fund			\$2,011,600	\$2,011,600
GRAND TOTAL	\$21,269,800	\$5,160,800	\$9,755,100	\$36,185,700

SECTION 2. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than ninety-one and eighty-hundredths (91.80) full-time equivalent positions for the Children's Mental Health Program for the period July 1, 2009, through June 30, 2010. In accordance with Section 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than two hundred forty-three and seventy-nine hundredths (243.79) full-time equivalent positions for the Adult Mental Health Program for the period July 1, 2009, through June 30, 2010. Transfers of full-time equivalent positions between appropriated programs within the department are authorized and shall be reported in the budget prepared for the next fiscal year. Any full-time equivalent positions in excess of the department's total cap may be authorized only by the Governor and promptly reported to the Joint Finance-Appropriations Committee.

SECTION 3. In addition to the appropriation made in Section 1, Chapter 355, Laws of 2008, there is hereby appropriated to the Department of Health and Welfare for the Children's Mental Health Program the following amount to be expended according to the designated expense class from the listed fund for the period July 1, 2008, through June 30, 2009:

FOR:	
Trustee and Benefit Payments	\$9,000
FROM:	
Cooperative Welfare (Federal) Fund	\$9,000

SECTION 4. Notwithstanding any other provision of law to the contrary, the appropriation made in Section 1, Chapter 355, Laws of 2008, is hereby reduced by the following amount,

1 according to the designated expense class from the listed fund for the period July 1, 2008,
2 through June 30, 2009:

3 FOR:

4 Trustee and Benefit Payments \$9,000

5 FROM:

6 General Fund \$9,000

7 SECTION 5. GENERAL FUND TRANSFERS. As appropriated, the State Controller
8 shall make transfers from the General Fund to the Cooperative Welfare Fund, periodically, as
9 requested by the director of the Department of Health and Welfare and approved by the Board
10 of Examiners.

11 SECTION 6. DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT
12 SERVICES FUND TRANSFERS. As appropriated, the State Controller shall make transfers
13 from the Drug Court, Mental Health Court and Family Court Services Fund to the Cooperative
14 Welfare Fund, periodically, as requested by the director of the Department of Health and Wel-
15 fare and approved by the Board of Examiners.

16 SECTION 7. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINI-
17 CIANS CONTRACT. The Children's Mental Health Program shall make, no later than July 10,
18 2009, an interagency payment of \$327,000 from the Cooperative Welfare (General) Fund to the
19 Department of Juvenile Corrections to be utilized for the purchase of contract clinician services
20 with juvenile detention facilities in Idaho, for the period July 1, 2009, through June 30, 2010.

21 SECTION 8. LIMITING THE TRANSFER OF TRUSTEE AND BENEFIT PAY-
22 MENTS. Notwithstanding the provisions of Section 67-3511(1), Idaho Code, appropriations
23 made in Section 1 of this act for trustee and benefit payments expenditure object code shall not
24 be transferred to any other objects within the program budget during fiscal year 2010.

25 SECTION 9. CHILDREN'S MENTAL HEALTH CONTRACT TREATMENT SER-
26 VICES. It is hereby declared to be the intent of the Idaho Legislature that, of those moneys
27 appropriated in Section 1 of this act, \$2,104,700 from the Cooperative Welfare (General) Fund
28 be used to provide Children's Mental Health contract treatment services for the period July
29 1, 2009, through June 30, 2010. The amount so specified is not meant to be a limit, but
30 rather a minimum amount to be provided for such services. Contract treatment services may
31 include, but are not limited to, family support and preservation services, intensive outpatient
32 and outpatient treatment, day treatment services outside the public school system, and contract
33 wraparound case management services.

34 SECTION 10. DIRECTING A REPORT RELATIVE TO CHILDREN'S MENTAL
35 HEALTH DAY TREATMENT SERVICES. It is the intent of the Legislature that the Children's
36 Mental Health Program report to the Joint Finance-Appropriations Committee during its 2010
37 budget hearing the amount of annual funds paid to public schools for day treatment services
38 by school district, the number of children by school district that were treated annually, and the

1 outcome data reported as required by the contracts for services. If no funds are expended for
2 day treatment in the school districts then no report will be required.

3 SECTION 11. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the
4 extent possible, our capable, quality employees who support the essential services and statuto-
5 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical
6 essential services to be those that maintain the health and safety of our citizens and the ed-
7 ucation of our children. While extending flexibility to the Governor and agency directors to
8 manage the state workforce to the best of their ability during these difficult times, it remains the
9 responsibility of the Legislature to identify priorities for the state workforce. The Legislature
10 finds that reductions in personnel funding shall first be managed through salary reductions that
11 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,
12 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-
13 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature
14 that these policies shall be adhered to by the executive, legislative, and judicial branches to the
15 extent allowed by law.

16 SECTION 12. SALARY REDUCTION. Inasmuch as salary reductions will save jobs;
17 and inasmuch as a five percent (5%) reduction in personnel funding may create a reduction
18 in force; and inasmuch as the state as a single employer of multiple departments and agen-
19 cies is required by law to direct across the board salary adjustments; agencies and institutions
20 shall reduce all salaries of classified and nonclassified employees, regardless of fund source, by
21 three percent (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010.
22 Agencies shall use personnel cost savings, furloughs, and a reduction in force to manage the
23 remaining two percent (2%) in funding reductions. The Division of Human Resources shall
24 adjust all pay schedules for the classified personnel system downward to the extent that all
25 beginning minimum salaries are three percent (3%) less than those in effect upon the date of
26 passage of this law.

27 SECTION 13. MENTAL HEALTH GRANTS. It is the intent of the Legislature that the
28 department utilize the \$846,600 of ongoing funding within the Mental Health Grants Program
29 for the Region 4 Dual Diagnosis Crisis Intervention beds that will be contractually operated by
30 Ada County. It is also the intent of the Legislature that the \$1,165,000 base ongoing funding
31 be continued in fiscal year 2010 for the Region 7 grant project that was selected in fiscal year
32 2008.

33 SECTION 14. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WEL-
34 FARE EMPLOYEES. Recognizing that employee development is an essential part of a work-
35 force but that budget shortfalls require a reprioritization of expenditures towards core functions
36 first and development and training second. The Department of Health and Welfare is hereby
37 directed not to pay any education stipend, regardless of funding source, for employees during
38 the fiscal year 2010 due to budgetary shortfalls and a reprioritization towards core expenditures.
39

40 SECTION 15. TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING
41 EXPENDITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code, that
42 state "No appropriation made for expenses other than personnel costs shall be expended for

1 personnel costs of the particular department, office or institution for which it is appropriated,...."
2 For fiscal year 2010, the Department of Health and Welfare may transfer funds appropriated for
3 operating expenditures to personnel costs with the consent of the State Board of Examiners that
4 currently designates the responsibility to the Division of Financial Management.

5 SECTION 16. An emergency existing therefor, which emergency is hereby declared to
6 exist, Sections 3, 4 and 12 of this act shall be in full force and effect on and after passage and
7 approval.